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APPLICATION NO. FILING DATE FIF		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/693,163 10/23/2003		Reiner Eschbach	D/A2327	1667		
75	7590 05/12/2005			EXAMINER		
Ortiz & Lopez	z, PLLC	RONES, CHARLES				
P.O. Box 4484 Albuquerque, NM 87196-4484			ART UNIT	PAPER NUMBER		
			2164			
			DATE MAILED: 05/12/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

1)			Application	on No.	Applicant(s)		
Charles Rones 2164			10/693,16	33	ESCHBACH ET AL.		
The MAILING DATE of this communication appears on the cover sheet with the correspondence addresseriod for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Educations of time may be available under the provisions of 3° CFR 1.13(a). In no event, however, may a neply be timely filed after 50x (b) MONTPS from the maining take of this communication. Educations of time may be available under the provisions of 3° CFR 1.13(a). In no event, however, may a neply be timely filed after 50x (b) MONTPS from the maining date of this communication. Style (b) MONTPS from the maining date of this communication is 10x (b) MONTPS from the maining date of this communication. In No prior the roby is specified show, the manament after the mailing date of this communication. Style MONTPS from the maining date of this communication. In No prior the roby is specified as the third into maining date after the maining date of this communication. Even if timely filed, may reduce any very management of the communication. Even if timely filed, may reduce any very management of the communication. Even if timely filed, may reduce any very management time adjustment. Sea 3° CFR 1.70(b). It is possition of Claims application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quay/e, 1935 C.D. 11, 453 O.G. 213. Isposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are rejected. 7) Claim(s) is/are rejected. 7) Claim(s) is/are rejected to. 8) Claim(s) is/are objected to by the Examiner. 10) The drawing(s) filed on is/are. a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.85		Office Action Summary	Examiner		Art Unit		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be availables under the provisions of 37 CPR 1.135(a). In no event, however, may a reply be timely filed. Extensions of time may be availables under the provisions of 37 CPR 1.135(a). In no event, however, may a reply be timely filed. Extensions of time may be availables under the provisions of 37 CPR 1.135(a) in no event, however, may a reply be timely filed. Extensions of time may be available under the provision of 37 CPR 1.135(a) in no event, however, may a reply be timely filed. If NO period for reply is general advanced sender for reply do days, and the provision of the mailing date of the communication, even if timely filed, may reduce they send patient term adjustment. See 37 CPR 1.704(b). Latus 1) Responsive to communication(s) filed on 18 January 2005. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Isposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 8) Claim(s) is/are allowed. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to See 37 CPR 1.125(a). Replacement drawing sheet(s) including the correction is required freadwan(s) is			Charles R	ones	2164		
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Application/Control Number: 10/693,163

Art Unit: 2164

DETAILED ACTION

Amendment

The amendment timely filed on January 18, 2005 has been entered.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Stubler et al. (U.S. Patent 6,804,684).

Claims 1 and 10: As described at col. 3, lines 56-67, col. 5, lines 1-19, col. 6, lines 41-46, and col. 10, lines 1-13, the user can either accept the offered keywords or edit the keywords, which means that the user is presenting keywords which means that the user is presenting alternatives to those are supplied. Wherein the database statistics are deemed to be provided using a program module and the measurable high level and low features and histograms are the statistics at col. 7, lines 26-35 The time of entry for similar images are provided for during the image capture procedure at col. 6, lines 31-45 and col. 7, lines 26-35.

Claim 2: As described at col. 10, lines 1- 1 3, the user can either accept the offered keywords or edit the kewyords, which means that the user is presenting alternatives to those keyword which are supplied.

Claims 3 and 11: Col. 10, lines 3-8 illustrate that the image along with the selected keywords are stored in the database. The selected keywords that are stored with the image are at least some of the keywords which were offered to the user.

Claims 4 and 12: If the offered keywords are edited (col. 10, line 2) the keywords stored in the database with the new image are alternative keywords.

Claims 5 and 13: The storage of the new image with its selected keywords inherently updates the database with a new occurrence (a new record in the database). The new image can in fact have a time and date stamp (col. 9, line 35) which is further readable as a time of storage in the database, as the act of storage can occur in the same date or year as the time that the image was captured.

Claims 6 and 14: The storage of the new image with alterative keywords (edited keywords) inherently updates the database with a new occurrence (a new record in the database). The new image can in fact have time and date stamp (col. 9, line 35) which is further readable as a time of storage in the database, as the act of storage can occur in the same date or year as the time that the image was captured.

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Claims 7 and 15: Col. 10, lines 1-3 describes the presentation to user of an editable list of keywords. If the list is edited, the resulting edited words become alternative keywords. The list itself is a data entry field.

Claims 8 and 16: Col. 10, lines 1-6 describes the storage of the new images with either original keywords or alternative keywords produced by the editing action.

Claims 9 and 17: A new entry of an image in a database is readable as an entry of a new subgroup. Each new image and its associated keywords are a subgroup.

Claim 18: Stubler et al. discloses a memory device (12) which includes a database (col. system further includes a content retrieval module (computer 10) that 5, lines 38-39). The provides the image management and retrieval capabilities, a database statistics module (computer program of Figs. 5-7) that performs the analysis of the numerical information in the metadata of program of FIGS. 5-7) that performs the images, and a user interface (user input devices 22) that allows the user to accept or edit system suggestions for keywords attached to new images. The database statistics module is deemed to be updated during the capture time of new images that are being added or removed from the database thereby leaving it current (col. 6, lines 32-51 and col. 7, lines 26-35).

Response to Arguments

Art Unit: 2164

Applicant's arguments filed January 18, 2005 have been fully considered but they are not persuasive.

Applicant's arguments are addressed above in the rejection of the claims and the Examiner maintains that Stubler discloses the claimed features.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Rones whose telephone number is 571-272-4085. The examiner can normally be reached on Monday-Thursday 8am-4pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Rones Primary Examiner Art Unit 2164

May 9, 2005